

AMENDMENTS TO THE SPECIFICATION

Applicant again requests the entry of the amendments requested in the Aug. 23, 2007 response. Applicant respectfully submits that these amendments are permissible and do not constitute new matter. “An amendment to correct an obvious error does not constitute new matter where one skilled in the art would not only recognize the existence of error in the specification, but also the appropriate correction.” MPEP § 2163.07(II) (quoting *In re Oda*, 443 F.2d 1200, 170 U.S.P.Q. 268 (C.C.P.A. 1971)).

In this case, the omission of the word “not” in these instances was a transcription error on the part of the drafting attorney, who was not a person having ordinary skill in the art of cosmetic preparations. But a person skilled in the art would understand how to properly use mesh screens and would likewise recognize that passing material through a series of mesh screens will leave, at each stage, whatever matter has not passed through the mesh screen. And if a person of ordinary skill in the art reads or uses the procedure described in the specification, he or she would immediately see that the percentages of materials described are those not passing through the mesh screen at each stage. So the requested corrections clarify the application for casual readers and eliminate the need for later practitioners to mentally correct the error. But the corrections are not new matter under MPEP 2163.07(II). Applicant respectfully requests entry of the amendments.